

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Inventor application of:** Allan D. McLean

**Application No.** 10/660,458

**Filed:** September 9, 2003

**Confirmation No.** 4909

**For:** APPLE TREE NAMED 'MC 38'

**Examiner:** Susan B. McCormick

**Art Unit:** 1661

**Attorney Reference No.** 6582-66871

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP MISSING PARTS, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney  
for Applicant(s)

Date Mailed January 14, 2004

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**SECOND PRELIMINARY AMENDMENT**

Before examining the present application, Applicant requests that the present amendment be entered.

**Amendments to the Specification** begin on page 2.

**Remarks** begin on page 4.